

**New Hampshire Racing & Charitable Gaming Commission  
Commission Meeting  
Concord Office  
November 18, 2011  
11-13**

Present: Timothy J. Connors, Chairman  
Warren W. Leary, Secretary  
Michael J. Gatsas, Member  
Lynn M. Presby, Member  
Bernard A. Streeter, Member  
Anthony B. Urban, Member  
Paul M. Kelley, Director  
Sudhir K. Naik, Deputy Director  
Charles J. Saia, Legal Coordinator  
Steve Johnston, Supervisor Gaming Operations  
Billie Jean Arseneault, Gaming/Licensing Supervisor  
William Dewhurst, Sr. Auditor  
Linda Glaser, Auditor  
Shawn Graham, Auditor  
Linda Darrow, Administrative Secretary

In Attendance: Edward Callahan, Dick Bouley, Dan Decoteau, Jaime Timbas, Glenn McCrory, Dan Mullen, Dan Callaghan, Curtis Barry, Susan Geiger, Craig Potts, Peter Anzalone, Nick Anzalone, Rich Bedrosian and others.

The Chairman called the meeting to order at 11:05 a.m. and apologized for the late start. He asked for the scheduled hearings to begin. Director Kelley requested they be remanded back to staff to resolve the issues with the two organizations. Staff will return at the next Commission meeting with the resolutions that were reached. On a motion by Commissioner Leary, seconded by Commissioner Streeter and unanimously voted to remand back to staff.

**Easter Seals NH, Inc. Hearing**

Remanded back to staff

**Oceanfront Gaming, Inc./  
Newmarket Community Education Partnership Hearing**

Remanded back to staff

On a motion by Commissioner Leary seconded by Commissioner Streeter and unanimously voted to approve and place on file the Commission minutes dated October 11, 2011.

On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place on file the racing & charitable gaming statistics for the fiscal period of July 1 – October 31, 2011.

The Games of Chance warning letters/late financials spreadsheets were reviewed. Deputy Director Naik stated all items were up to date. On a motion by Commissioner Urban, seconded by Commissioner Streeter and unanimously voted to accept and place on file.

The Games of Chance State Revenue spreadsheets were reviewed. On a motion by Commissioner Streeter, seconded by Commissioner Urban and unanimously voted to accept and place on file.

Legal Coordinator Saia provided a legislative update. SB 13 (increasing the limit on single wagers) and SB 182 (relative to video lottery and table gaming) were voted for Interim Study by the Executive Session of the Senate Ways and Means. Both bills should reach the Senate floor in January 2012.

Mr. Glenn McCrory of Easter Poker Tour (EPT) submitted details regarding the proposed EPT tournament. Discussion ensued. On a motion by Commissioner Gatsas, seconded by Commissioner Streeter and unanimously voted to table this item until the next meeting.

Petition of Technology Exclusive – the Commissioners agreed to allow Director Kelley to prepare and forward the Commission’s final decision on the petition of Technology Exclusive to Attorney Susan Geiger.

Action Items:

1. *Request from Representative Kurk for information on impact a casino/racino would have on charitable gaming in NH:* Director Kelley provided a handout outlining FY 11 net revenue for Games of Chance and Bingo/Lucky 7 in NH. He had previously contacted Dr. Barrow of UMass/Dartmouth in order to obtain data regarding impact of casino openings but did not receive a response. The only impact information available is the data on the opening of Foxwoods in Connecticut and how that affected the entire New England region. Mr. Frank Valgenti suggested the Commission contact the game operators to gather information on the impact casinos would have on their gaming practices. On a motion by Commissioner Gatsas, seconded by Commissioner Urban and unanimously voted to provide Representative Kurk with Director Kelley’s handout and support Director Kelley’s efforts to obtain more current data, including reaching out to Dr. Barrow again.

Correspondence:

Correspondence was reviewed and accepted.

Director Kelley distributed to the Commission a late item submitted by Mr. Newman regarding Lucky 7 dispensing devices. The item was placed on file.

At 11:25 a.m. Chairman Connors called for a short recess. The Chairman reconvened the meeting at 11:26 a.m.

Commissioner Gatsas expressed concern with the number of establishments conducting possible unlicensed charitable gaming and other forms of possible unlicensed gaming in the state. Discussion ensued. Staff notified the AG’s office several months ago regarding same and was informed that the AG’s office was looking into the legal aspects of the operations in conjunction with local law enforcement departments. On a motion by Commissioner Gatsas, seconded by Commissioner Streeter and unanimously voted to notify the establishments conducting unlicensed charitable gaming that they need to be licensed and request they appear before the Commission.

If they do not respond, the Commission will send a letter notifying the local police of that community, state police, AG's office, senator and/or representative of that community that the Commission attempted to stop unlicensed charitable gaming and other forms of gaming in that area with no success.

Mr. Curtis Barry stated that Mr. Rafferty of the River Card Room in Milford recently wrote a letter to the AG's office concerning organizations conducting unlicensed charitable gaming. He also sent copies of the letter to Senators Bragdon and Odell, and Representative Stepanek. Mr. Barry will provide a copy of the letter to the Commission.

On a motion by Commissioner Presby, seconded by Commissioner Streeter and unanimously voted to send a letter to all licensees reminding them that unapproved gaming devices are not to be placed on their premises.

Old Business:

Commissioner Presby presented an update on the meetings being held pertaining to Lucky 7 tickets. The areas of concern revolve around two-sided tickets, seal card changes and the Lucky 7 rolling jackpots. Commissioner Presby hopes to present recommendations to the Commission at the December meeting. Ultimately, the Bingo/Lucky 7 rules may need to be modernized and cleaned up.

New Business:

None

At 11:55 a.m., on a motion by Commissioner Urban, seconded by Commissioner Streeter and by a unanimous roll call vote the Commission voted to adjourn the regular meeting and go into nonpublic session as allowed under RSA 91-A:3, I (b), II(c) and II(j)

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Streeter	-	Yes
Urban	-	Yes

At 12:40 p.m., on a motion by Commissioner Leary, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to come out of the nonpublic session, and to permanently seal the nonpublic minutes

Connors	-	Yes
Leary	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Streeter	-	Yes
Urban	-	Yes

The next meeting is scheduled for Thursday, December 15, 2011, time and place to be determined.

The Chairman closed the public meeting at 12:45 p.m.

Respectfully Submitted,

Warren W. Leary, Jr.  
Secretary